

COUNCIL MINUTES

Regular Meeting September 6, 2011

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present: Mayor Don Gerend, Deputy Mayor Tom Odell, Councilmembers Mark Cross, John Curley, John James, and Nancy Whitten.

Councilmembers absent: Councilmember Michele Petitti.

MOTION: Councilmember Whitten moved to excuse Councilmember Petitti. Councilmember Curley seconded. Motion carried unanimously 6-0.

Staff present: City Manager Ben Yazici, Public Works Director Laura Philpot, City Engineer Jeff Brauns, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, Senior Planner Evan Maxim, City Attorney Bruce Disend,

Roll Call/Pledge of Allegiance

Roll was called. Councilmember Whitten led the pledge.

Approval of Agenda

MOTION: Deputy Mayor Odell moved to amend the agenda by removing Item #4 – Award of the 244th Avenue Non-motorized Project from the Consent and have it immediately follow the Consent Agenda . Motion to approve the agenda as amended carried unanimously 6-0.

Presentations/Proclamations

Mayor Gerend recognized Boy Scout members from Troop #509 and Troop #695

Mayor Gerend introduced Laura Quinn, Community Organizer for North and East King County for King County and Barbara Luniuk-Rakita from Friends of Youth Counseling Center and presented them with the following proclamation:

- **Proclamation: National Recovery Month**

WHEREAS, behavioral health is an essential part of health and overall wellness, and people can and do recover from substance use and mental disorders; and

WHEREAS, all people have the fundamental, inherent value to be accepted and treated with respect, human dignity, and worth; and

WHEREAS, it is critical to educate our policymakers, friends and family members, health care providers, and businesses that substance use and mental disorders are treatable, and that people should seek assistance for these conditions, and

WHEREAS, substance use and mental disorders are serious public health problems and we must continue to reach the millions more who need help; and

WHEREAS, to help more people achieve long-term recovery, and learn how recovery benefits the Nation's overall well-being, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA), the White House Office of National Drug Control Policy (ONDCP), and the City of Sammamish invite all residents to participate in raising awareness of this important health concern,

NOW, THEREFORE, on behalf of the Sammamish City Council, I do hereby proclaim the month of September 2011 as

National Recovery Month: Prevention Works, Treatment is Effective, People Recover in Sammamish and call upon the people to observe this month with appropriate programs, activities, and ceremonies supporting this year's theme, "***Join the Voices for Recovery: Recovery Benefits Everyone.***"

PROCLAIMED THIS 6th DAY OF SEPTEMBER, 2011

Public Comment

Ramiro Valderrama, NE 18th Place, He thanked the Council and city staff for the wonderful Summer Concert Series. He also reminded Council to engage citizen groups when considering funding for the proposed Community Center.

Justin Macomber, Scout from Troop #509, He reported on his Eagle Scout project. He encouraged everyone to donate to Autism Speaks (<http://www.autismspeaks.org/ways-give>). He has been chosen as the Team Chair for the Seattle Walk for Autism on September 17 starting at the Seattle Center at 9:00 am.

Vicki Baggette, 23903 NE 14th Street, She and her neighbors presented a petition to the city recommending the purchase of 40 acres of property known as Mystic Lake. They feel this property performs important filtration for stormwater on its way to Lake Sammamish. She feels that it would make a lovely park as well as preserving the wetlands (*This petition is available upon request of the City Clerk*).

Scott Hamilton, Former Planning Commissioner, He explained that the zoning for this property, which is still in unincorporated King County, is currently Rural. The Planning Commission recommended R-4 zoning when it added Mystic Lake to the City's Potential Annexation Area. He was supportive of the City purchasing this property for a park.

City Manager Ben Yazici said that he will bring more information regarding this property to Council but he would like to do in conjunction with a discussion regarding the budget and other priorities.

Consent Calendar

Additional Payroll Check for period ending June 30, 2011 for pay date July 5, 2011 in the amount of \$673.45

Payroll for period ending July 15, 2011 for pay date July 20, 2011 in the amount of \$255,911.74

Payroll for period ending July 31, 2011 for pay date August 5, 2011 in the amount of \$259,355.52

Payroll for period ending August 15, 2011 for pay date August 19, 2011 in the amount of \$255,783.60

Payroll for period ending August 31, 2011 for pay date September 2, 2011 in the amount of \$255,924.70

Approval: Claims for period ending August 2, 2011 in the amount of \$729,004.54 for Check No. 29771 through No. 29895

Approval: Claims for period ending August 15, 2011 in the amount of \$997,758.88 for Check No. 29896 through No. 30025

Approval: Claims for period ending September 6, 2011 in the amount of \$1,599,584.70 for Check No. 30026 through No. 30168

Approval: Minutes for the July 5, 2011 Regular Meeting

Approval: Minutes for the July 12, 2011 Regular Meeting

Approval: Minutes for the July 18, 2011 Regular Meeting

MOTION: Councilmember James moved to approve the Consent Agenda. Councilmember Curley seconded. Motion carried unanimously 6-0.

Bid Award: 244th Avenue Non-Motorized Project

City Engineer Jeff Brauns gave the staff report. He showed a short PowerPoint presentation (*presentation available on the city's website at www.ci.sammamish.wa.us*). He explained that this project needed additional Council approval since the lowest bid was above the dollar amount previously authorized by Council. This is Part 1 of a two part project. The second phase does have grant monies for it and there may be an opportunity for additional grant money. Staff recommendation is for Council approval to award the bid to Archer Construction.

Deputy Mayor Odell expressed concerns about Phase 2 of this project. He feels is it very expensive.

MOTION: Deputy Mayor Odell moved to authorize the City Manager to award and execute a contract with Archer Construction, Inc. for construction of the 244th Non-Motorized Improvements, Phase 1 – NE 8th Street to NE 11th Street project for an amount of \$306,728.25 and administer a construction contingency for an amount not to exceed \$30,673. Councilmember Curley seconded. Motion carried unanimously 6-0.

Public Hearings

Ordinance: Second Reading Adopting Amendments To The Town Center Development Regulations Codified Into Chapter 25 Of Title 21b And Adopting Amendments To The Transfer Of Development Rights Regulations Codified Into Chapter 80 Of Title 21a Of The Sammamish Municipal Code

Mr. Yazici explained that this ordinance reflects Council direction given at previous meetings. The Council needs to re-open the public hearing, take any additional comments, close the public hearing and approve the ordinance.

Mayor Gerend opened the public hearing at 7:08 pm. There was no public comment and the public hearing closed at 7:09 pm.

Councilmember Whitten expressed concern about developers hoarding Transfer of Development Rights. She encouraged staff to track this.

Mayor Gerend expressed concern that 90 days is not long enough for a developers to determine what a Transfer of Development right might be worth. Council concurred that this time limit should be increased to six months.

MOTION: Councilmember James moved to adopt the proposed ordinance as amended by Attachment B in the packet material. Councilmember Curley seconded.

AMENDMENT: Deputy Mayor Odell moved to amend Section 21B.25.040(2)(d) to read six months rather than 90 days.

MAIN MOTION: Motion carried as amended unanimously 6-0(O2011-310).

Public Hearing: Interim Ordinance Adopting A Moratorium On The Establishment Of Collective Gardens; Defining "Collective Gardens;" Providing For A Public Hearing, Referring The Matter To The Planning Commission For Hearing And Review; And Establishing An Effective Date.

Deputy City Manager Lyman Howard gave the staff report and a short PowerPoint Presentation (*presentation available on the city's website at www.ci.sammamish.wa.us*). The city previously adopted an emergency ordinance placing a moratorium on such gardens. State law requires a public hearing to be held within 60 days of passage of any emergency ordinance. Staff is recommending Council open the public hearing, take any testimony and close the public hearing. No additional action on this ordinance is necessary.

Mayor Gerend opened the public hearing at 7:32 pm. There was no public comment. The public hearing closed at 7:33 pm.

Unfinished Business -None

New Business - None

Council Reports

Councilmember James reported that the Economic Development Committee members are working on developing an agenda and setting their next meeting date.

Deputy Mayor Odell reported that he will be attending the National League of Cities Training in Minneapolis, MN this week.

Councilmember Whitten praised the street improvements that have been made over the summer.

Mayor Gerend reported on the activities of the Association of Washington Cities in Olympia. Both the cities and the counties are joining forces to get their concerns to the state legislature. He will also be attending the National League of Cities Steering Committee meeting in New Orleans this week.

City Manager Report - None

Meeting adjourned at 7:40 pm.

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor